

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

EVELYN TENNYSON,

Plaintiff,

v.

**THE CITY OF SYRACUSE, SYRACUSE POLICE
CHIEF FRANK FOWLER in his official capacity and
POLICE OFFICER KELSEY FRANCEMONE sued
herein in her capacity as an individual,**

Defendants.

**STIPULATED
CONFIDENTIALITY
ORDER**

**Civil Action No.: 5:16-CV-0929
(NAM/ATB)**

Plaintiff in the above-captioned matter having served Plaintiffs' First Interrogatories and Request for Documents on Defendants seeking the production of certain documents relating to "documents generated by the defendants, their employer, the Citizens Review Board and any and all other outside or internal agencies investigating the incident giving rise to the instant litigation";

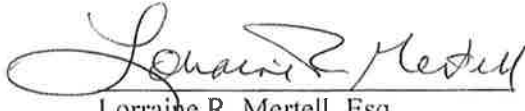
WHEREAS during a May 23, 2018 Court Conference, the Defendants identified the existence of responsive sealed documents including Syracuse Police Department reports that relate to the "Father's Day Incident" that occurred on June 19, 2016, investigated under DR-16-443526 ("The Documents");

WHEREAS during said Conference, the Court directed Defendants to file a motion with the Onondaga County Court to unseal The Documents;

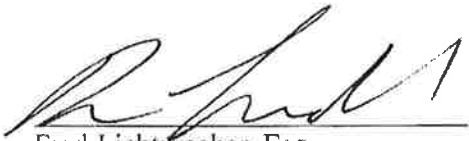
WHEREAS, The Documents relating to the parties, and/or any other individuals mentioned therein, are subject to and fall within the provisions of this Confidentiality Order;

IT IS HEREBY ORDERED:

- 1) That Counsel for the Defendants shall file a motion with the Onondaga County Court to unseal The Documents, said motion to be filed on or before July 12, 2018;
- 2) Once unsealed, any and all information contained in The Documents shall be disclosed designated “Confidential Discovery Materials” governed by and subject to the terms of the Stipulated Protective Order filed in this case on January 30, 2018 (Dkt. 47);
- 3) Except as directed in paragraph 4 below, the name and personal identification information (“PII”) of any individuals who were acquitted on criminal charges filed against them arising from said Father’s Day Incident shall be redacted from The Documents following their unsealing by the Onondaga County Court. PII shall include, but is not limited to, addresses, telephone numbers, account numbers of any sort (excluding arrest numbers), Social Security numbers, dates of birth, ages, names of minor children, and names of sexual assault victims;
- 4) The names and PII of any individuals who have executed a waiver pursuant to New York CPL 160.50 shall not be redacted. Should additional individuals execute such a waiver following disclosure of The Documents, unredacted copies of documents pertaining to that individual shall be provided;
- 5) The Federal Court for the Northern District of New York in the above-captioned matter expressly reserves and retains the discretion to file The Document “under seal” upon submission, by a party, of a motion to seal, pursuant to N.D.N.Y. L.R. 83.13, showing good cause.

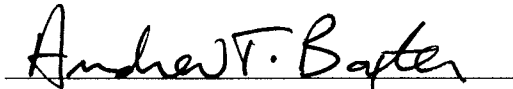


Lorraine R. Mertell, Esq.
Bar Roll No.: 103051
W. Bradley Hunt, Esq.
Bar Roll No.: 512811
Mackenzie Hughes LLP
Mackenzie Hughes Tower
440 S. Warren Street, Suite 400
Syracuse, New York 13202-2601
Attorneys for Defendants



Fred Lichtmacher, Esq.
Bar Roll No.: 513193
The Law Office of Fred Lichtmacher, P.C.
116 West 23rd Street, Suite 500
New York, New York 10011
Attorneys for Plaintiff

IT IS SO ORDERED:



Andrew T. Baxter
U.S. Magistrate Judge

Dated: June 12, 2018
Syracuse, NY